

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63732 of 2022

Arising Out of PS. Case No.-448 Year-2021 Thana- RAJAOLI District- Nawada

Upendra Yadav @ Upendra Kumar S/O Baleshwar Yadav R/V- Lohsinghna
(Job), P.S.- Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in a case punishable under Sections 30(a),(d), 37(c) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 80 litres of illicit liquor and one motorcycle bearing registration No. BR-27F-0582. Two persons were apprehended from the spot, who disclosed their name as Ajanta Rajbanshi and Raju Rajbanshi. The local persons and chowkidar disclosed the name of petitioner and other co-accused persons who fled away from place of seizure.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner has no concern with the alleged recovery or with the place of occurrence. The seized motorcycle does not belong to the petitioner. The name of the petitioner has been disclosed in this case by local chowkidar as person who fled away from the place of seizure. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Rajauli P.S. Case no. 448 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of



learned Exclusive Special Excise Judge IInd, Nawada
subject to the conditions as laid down under section 438(2)
of the Cr.P.C.

(Sunil Kumar Panwar, J)

nirajkrs/-

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